



CALIFORNIA STATE BOARD OF EDUCATION ITEM # 18

MARCH 2003 AGENDA

SUBJECT:

2002-03 (and beyond) determination of funding requests from charter schools pursuant to Senate Bill 740 (Chapter 892, Statutes of 2001), specifically Education Code Sections 47612.5 and 47634.2.

<input checked="checked" type="checkbox"/>	ACTION
<input type="checkbox"/>	INFORMATION
<input type="checkbox"/>	PUBLIC HEARING

RECOMMENDATION:

Take action on 2002-03 (and beyond) determination of funding requests from charter schools pursuant to Education Code Sections 47612.5 and 47634.2, based upon the review of the requests and the recommendations prepared by the Advisory Commission on Charter Schools and the California Department of Education.

Summary of Previous State Board of Education Discussion and Action.

Senate Bill 740 (Chapter 892, Statutes of 2001) enacted provisions of law calling upon charter schools to prepare and the State Board to act upon determination of funding requests relating to pupils who receive nonclassroom-based instruction (in excess of an amount of nonclassroom-based instruction that the statute allows as part of classroom-based instruction). The State Board adopted regulations (in keeping with SB 740) to define certain terms and establish criteria for the evaluation of determination of funding requests. The State Board also established the Advisory Commission on Charter Schools to provide (among other things) recommendations on the implementation of the provisions of SB 740.

Summary of Key Issue(s).

Under SB 740, an approved determination of funding is required (beginning in 2001-02) in order for a charter school to receive funding for pupils receiving nonclassroom-based instruction (in excess of the amount of nonclassroom-based instruction that the statute allows as part of classroom-based instruction). Beginning in 2002-03, determination of funding requests are allowed for multiple years. All requests in 2001-02 were for that year only.

The Advisory Commission on Charter Schools considered a number of 2002-03 (and beyond) determination of funding requests at its meeting on February 19, 2003.

Fiscal Analysis (as appropriate).

A determination of funding request approved at less than the 100 percent level may result in slightly reduced apportionment claims to the state. The reductions in claims would result in a proportionate reduction in expenditure demands for Proposition 98 funds. All Proposition 98 funds, by law, must be expended each fiscal year. Thus, a reduction in apportionment claims may be more accurately characterized as an expenditure shift than as absolute savings under typical circumstances. However, if total claims for Proposition 98 funding are greater than available funds in a given year, then the reduction in apportionments attributable to nonclassroom-based instruction may be regarded as a reduction in the deficit for that year.

Background Information attached to this Agenda Item.

The listing of specific recommendations is attached. Information submitted by each school and the analysis of that information prepared by CDE staff are available for public inspection at the State Board Office.

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The tables below reflect the recommendations of the Advisory Commission on Charter Schools and California Department of Education staff regarding 2002-03 (and beyond) determination of funding requests submitted by charter schools. Except as noted, all Advisory Commission recommendations were by unanimous vote of the members present.

RECOMMENDED FOR 100 PERCENT FOR ONE YEAR ONLY

Charter #	Charter School Name	Recommended Level	Recommended Year(s)
#15	Horizon Instructional Systems	100%	One year only 2002-03
#22	Grass Valley charter School	100%	One year only 2002-03
#82	Union Hill Charter School	100%	One year only 2002-03
#99	East Bay CCC Charter School	100%	One year only 2002-03
#110	Learning Community Charter School	100%	One year only 2002-03
#144	Prosser Creek Charter School	100%	One year only 2002-03
#146	Plumas Charter School	100%	One year only 2002-03
#160	Liberty Family Academy	100%	One year only 2002-03
#223	Stellar Charter School	100%	One year only 2002-03
#255	Muir Charter School	100%	One year only 2002-03
#256	Shasta Secondary Home	100%	One year only 2002-03
#332	Valley Oaks Charter School	100%	One year only 2002-03
#357	Denair Charter Academy	100%	One year only 2002-03
#358	Castle Rock Charter School	100%	One year only 2002-03
#362	Learning for Life Charter	100%	One year only 2002-03
#386	University Preparatory Charter	100%	One year only 2002-03
#391	BASIS*	100%	One year only 2002-03
#468	Bonsall Charter Academy	100%	One year only 2002-03
#482	Center for Excellence in Education/Big Bear	100%	One year only 2002-03
#490	Stellar Charter High School	100%	One year only 2002-03
#496	Morro Hills Charter Academy	100%	One year only 2002-03

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Charter #	Charter School Name	Recommended Level	Recommended Year(s)
#500	Mountain Empire Applied Sciences	100%	One year only 2002-03
#501	Valley Oak Charter School	100%	One year only 2002-03
#504	Whitmore Charter School	100%	One year only 2002-03

The reasons justifying a level higher than 80 percent in 2002-03 are that (1) the schools met the minimum criteria specified in regulation for the 100 percent level and (2) the schools presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding level is necessary for the schools to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

*One member of the Advisory Commission was not present when the vote on this recommendation was taken.

RECOMMENDED FOR 100 PERCENT FOR MULTIPLE YEARS

Charter #	Charter School Name	Recommended Level	Recommended Year(s)
#25	SLVUSD Charter School	100%	Three years 2002-03, 2003-04, and 2004-05
#28	Charter School of San Diego	100%	Three years 2002-03, 2003-04, and 2004-05
#85	Keyes to Learning Charter School*	100%	Three years 2002-03, 2003-04, and 2004-05
#327	Monterey County Home Charter	100%	Three years 2002-03, 2003-04, and 2004-05
#D4	Hickman Charter School	100%	Three years 2002-03, 2003-04, and 2004-05
#92	Yuba County Career Preparatory	100%	Two years 2002-03 and 2003-04
#126	Challenge Charter High School	100%	Two years 2002-03 and 2003-04
#261	Greater San Diego Academy	100%	Two years 2002-03 and 2003-04
#406	Audeo Charter School**	100%	Two years 2002-03 and 2003-04

The reasons justifying a level higher than 80 percent in 2002-03 and higher than 70 percent in 2003-04 and beyond (as applicable) are that (1) the school met the minimum criteria specified in regulation for the 100 percent level and (2) the school presented sufficient evidence (taking the totality of the request into account along with any other credible information that may have been available) that the 100 percent funding level is necessary

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for the school to maintain nonclassroom-based instruction that is conducted for the instructional benefit of the student and is substantially dedicated to that function.

* One member of the Advisory Commission did not participate in the consideration of this school's request because of a conflict.

** One member of the Advisory Commission voted against this recommendation.

RECOMMENDED FOR 80 PERCENT FOR ONE YEAR ONLY

Charter #	Charter School Name	Recommended Level	Recommended Year(s)
#159	Mattole Valley Charter School	80%	One year only 2002-03
#279	Modoc Charter School	80%	One year only 2002-03
#356	Golden Valley Charter School	80%	One year only 2002-03
#411	Desert Sands Charter School	80%	One year only 2002-03

The 80 percent level, as recommended, is consistent with the level specified in statute for 2002-03. No reasons justifying a higher or lower level are necessary.

RECOMMENDED FOR 70 PERCENT FOR ONE YEAR ONLY

Charter #	Charter School Name	Recommended Level	Recommended Year(s)
#196	Fresno Preparatory Academy*	70%	One year only 2002-03
#257	Sanger Hallmark Charter School	70%	One year only 2002-03

The reasons justifying a level lower than 80 percent in 2002-03 are that (1) the schools are below the minimum criteria specified in regulation for the 80 percent level and (2) no mitigating factors reasonably overcome the failure to meet the minimum criteria.

*One member of the Advisory Commission voted against this recommendation.

Information regarding each of the above-mentioned determination of funding requests is presented in attachments to this memorandum.